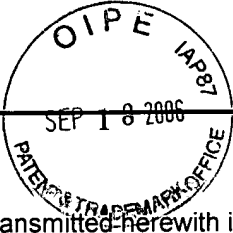
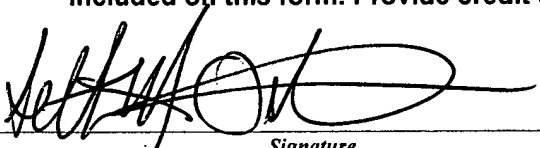





Ifw

<b>AMENDMENT TRANSMITTAL LETTER (Large Entity)</b>				Docket No. <b>5598-68</b>											
Applicant(s): <b>Gary William Flake, et al.</b>															
Application No. <b>10/625,001</b>	Filing Date <b>7/23/2003</b>	Examiner <b>Jason M. Borlinghaus</b>	Customer No.	Group Art Unit <b>3628</b>	Confirmation No. <b>8178</b>										
Invention: <b>TERM-BASED CONCEPT INSTRUMENTS</b>															
 <b>COMMISSIONER FOR PATENTS:</b>															
Transmitted herewith is an amendment in the above-identified application.															
The fee has been calculated and is transmitted as shown below.															
<b>CLAIMS AS AMENDED</b>															
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE										
TOTAL CLAIMS	18 -	20 =	0	x \$50.00	\$0.00										
INDEP. CLAIMS	4 -	4 =	0	x \$200.00	\$0.00										
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00										
<b>TOTAL ADDITIONAL FEE FOR THIS AMENDMENT</b>					<b>\$0.00</b>										
<input checked="" type="checkbox"/> No additional fee is required for amendment. <input type="checkbox"/> Please charge Deposit Account No. _____ in the amount of _____ <input type="checkbox"/> A check in the amount of _____ to cover the filing fee is enclosed. <input type="checkbox"/> The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account <input type="checkbox"/> Any additional filing fees required under 37 C.F.R. 1.16. <input type="checkbox"/> Any patent application processing fees under 37 CFR 1.17. <input type="checkbox"/> Payment by credit card. Form PTO-2038.															
<b>WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</b>															
 _____ Signature			Dated: <b>September 13, 2006</b>												
<b>Seth H. Ostrow, Reg. No. 37,410</b> <b>DREIER LLP</b> <b>499 Park Avenue</b> <b>New York, New York 10022</b> <b>Tel : (212) 328-6100</b> <b>Fax: (212) 328-6101</b>			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td colspan="2">I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on</td> </tr> <tr> <td style="text-align: center;">9/13/2006</td> <td></td> </tr> <tr> <td style="text-align: center;">(Date)</td> <td></td> </tr> <tr> <td colspan="2" style="text-align: center;">             _____            Signature of Person Mailing Correspondence         </td> </tr> <tr> <td colspan="2" style="text-align: center;"> <b>Susan Formicola</b>            _____            Typed or Printed Name of Person Mailing Correspondence         </td> </tr> </table>			I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on		9/13/2006		(Date)		 _____ Signature of Person Mailing Correspondence		<b>Susan Formicola</b> _____ Typed or Printed Name of Person Mailing Correspondence	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on															
9/13/2006															
(Date)															
 _____ Signature of Person Mailing Correspondence															
<b>Susan Formicola</b> _____ Typed or Printed Name of Person Mailing Correspondence															
CC:															



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of :

Group Art Unit : 3628

Gary William FLAKE *et al.*

Examiner : Jason M. BORLINGHAUS

Serial No. : 10/625,001

Filed : July 22, 2003

Title : TERM-BASED CONCEPT INSTRUMENTS

Mail Stop: Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

**AMENDMENT AND REPLY UNDER 37 C.F.R. § 1.111**

Sir:

In response to the Office Action mailed on June 13, 2006 (USPTO Paper No./Mail Date 20060605), Applicants respectfully request reconsideration of the above-identified application in light of the following:

**Listing of Claims** begin on page 2 of this paper; and

**Remarks** begin on page 7 of this paper.